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Attorneys for Rivermark Community Credit Union

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In re)	Case No. 16-33410-rld13
)	
Damian L. Harrington,)	OBJECTION TO CONFIRMATION OF
)	CHAPTER 13 PLAN (Rivermark Community
)	Credit Union)
)	
Debtor.)	DATE OF HEARING: October 24, 2016
)	TIME OF HEARING: 9:00 AM

Rivermark Community Credit Union (“Rivermark”) is a secured creditor of Damian L. Harrington (“Debtor”). Rivermark is a creditor of Debtor pursuant to two debts:

2012 Subaru Auto Loan (“Auto Loan”). Debtor entered into a loan agreement and consumer credit disclosure statement with Rivermark on January 21, 2016 (the “Auto Contract”), secured by Debtor’s 2012 Subaru Outback (the “Collateral”). The balance owing on the Auto Contract as of the date of the bankruptcy filing is \$13,536.50.

Secured Visa – (“Secured Visa”). Debtor entered into a credit card agreement with Rivermark on February 5, 2016 (“Secured Visa”). The Secured Visa is secured by the Collateral. The balance owing on the Secured Visa as of the date of the bankruptcy filing is \$484.33, all of which was incurred within a week prior to the petition date. Within a week subsequent to the petition date, Debtor also made additional charges on the Secured Visa totaling approximately

\$520.72.

Rivermark hereby objects to confirmation of the Chapter 13 Plan dated September 12, 2016 (the “Plan”) on the following grounds:

1. The Plan does not provide for treatment of the Secured Visa as a secured claim.
2. The Plan has not been proposed in good faith. 11 U.S.C. §1325(a)(3).
3. The Plan is not feasible.

WHEREFORE, Rivermark respectfully requests that the Court deny confirmation of the Plan until these objections are resolved.

MONSON LAW OFFICE P.C.

/s/ Scott J. Mitchell

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Attorneys for Rivermark Community Credit Union

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CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2016, I served the foregoing OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN (Rivermark Community Credit Union) on the following by mailing first class a copy thereof to the address below, contained in a sealed envelope, with postage prepaid, and deposited in the United States Post Office at Beaverton, Oregon:

Damian L. Harrington
10140 SW Molly Court
Tigard, OR 97223

THE FOLLOWING SERVED BY ELECTRONIC MAILING ONLY:

Michael D. O'Brien, Attorney for Debtor

Wayne Godare, Chapter 13 Trustee

U.S. Trustee, Portland Office

MONSON LAW OFFICE P.C.

/s/ Scott J. Mitchell
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